
EACH YEAR, MANY ELDERS AND YOUNGER ADULTS WHO ARE INCAPACITATED ARE VICTIMS OF MISTREATMENT BY FAMILY MEMBERS, BY PERSONS WHO ARE RESPONSIBLE FOR THEIR CARE, AND BY OTHERS.

Some Common Signs of Adult Abuse, Neglect, and Exploitation

- Injury that has not been cared for properly;
- Evidence of inadequate care;
- Burns, welts, scratches, bruises, fractures;
- Signs of confinement (locked in room, tied);
- The adult is not allowed to visit alone;
- Malnourishment;
- The adult is reluctant to speak openly;
- Severe anxiety, fearfulness, depression;
- Personal belongings such as art, silverware or jewelry are missing;
- Property or savings are mismanaged;
- The older or incapacitated adult does not have adequate clothing or personal care items when there appears to be enough money to provide for them.

Who Is Eligible for Adult Protective Services?

Adults may be eligible for Adult Protective Services (APS) if the adult is:

- 60 years of age or older; or
- Incapacitated and 18 years of age or older.

What Are Adult Protective Services?

Adult Protective Services are provided, regardless of the person's income or financial resources, to persons 60 years or older, to adults who are incapacitated and who are 18 years of age or older, and to their families when appropriate. Adult Protective Services include:

- The receipt and investigation of reports that an adult is abused, neglected, or exploited or at risk of abuse, neglect, or exploitation;
- The provision of a wide variety of health, housing, social, and legal services to stop the mistreatment and prevent further mistreatment; and
- The potential to intervene legally to provide essential protection to person who are in emergency situations and lack the capacity to consent to services.

APS will also refer matters as appropriate to the appropriate licensing, regulatory, or legal authority for administrative action or criminal investigation.

Will Anyone Know Who Reported?

The name of the person who makes the report will be held confidential by the local department of social services. The name of the person who made the report cannot be revealed unless the person gives permission or the court orders that the name be revealed. You do not have to give your name when you make a report.

Abuse and Neglect of an Incapacitated Adult Is a Crime

- Section 18.2-369 of the *Code of Virginia* creates a criminal offense for the abuse or neglect of an incapacitated adult by a person responsible for the adult's care, custody, or control.
- Civil money penalties may be imposed if a mandated reporter does not report as required.
- Employers of mandated reporters must notify their employees of their responsibility to report.
- An employer may not prohibit an employee from reporting directly to APS.
- Suspicious deaths must be reported to law enforcement and the medical examiner.

Report Suspected Abuse

Any person may voluntarily report suspected abuse to Adult Protective Services, including staff of financial institutions.

Some people are required by the *Code of Virginia* to report suspected abuse of adults to Adult Protective Services. These people are called **MANDATED REPORTERS**, and they must report suspected abuse, neglect, and exploitation to APS immediately. The *Code of Virginia* identifies the following groups of persons as mandated reporters:

- Any person licensed, certified, or registered by health regulatory boards listed in § 54.1-2503, except persons licensed by the Board of Veterinary Medicine:
 - *Board of Nursing*: Registered Nurses (RN); Licensed Nurse Practitioners (LNP); Licensed Practical Nurses (LPN); Clinical Nurse

- Specialists; Certified Massage Therapists; Certified Nurse Aides (CNA)
- *Board of Medicine:* Doctors of Medicine, Surgery, Osteopathic Medicine, Podiatry, and Chiropractic; Interns and Residents; University Limited Licensees; Physician Assistants; Respiratory and Occupational Therapists; Radiological Technologists and Technologists Limited; Licensed Acupuncturists; Certified Athletic Trainers
- *Board of Pharmacy:* Pharmacists, Pharmacy Interns, and Technicians; Permitted Physicians; Medical Equipment Suppliers; Restricted Manufacturers; Humane Societies; Physicians Selling Drugs; Wholesale Distributors; Warehousemen,
- *Board of Dentistry:* Dentists and Dental Hygienists
- *Board of Funeral Directors and Embalmers:* Funeral Establishments, Services Providers, Directors, and Embalmers; Resident Trainees; Crematories; Surface Transportation and Removal Services; Courtesy Card Holders
- *Board of Optometry:* Optometrists
- *Board of Nursing Home Administrators:* Nursing Home Administrators
- *Board of Counseling:* Licensed Professional Counselors; Certified Substance Abuse Counselors; Counseling Assistants; Certified Rehabilitation Providers; Marriage and Family Therapists; Licensed Substance Abuse Treatment Practitioners
- *Board of Psychology:* School, Clinical, and Applied Psychologist; Sex Offender Treatment Providers; School Psychologists – Limited
- *Board of Social Work:* Registered Social Workers; Associate Social Workers; Licensed Social Workers; Licensed Clinical Social Workers
- *Board of Audiology and Speech Pathology:* Audiologists; Speech-Language Pathologists; School Speech-Language Pathologists

- *Board of Physical Therapy:* Physical Therapist and Physical Therapist Assistant.
- Any mental health services provider as defined in § 54.1-2400.1;
- Any emergency medical services personnel certified by the Board of Health pursuant to § 32.1-111.5
- Any guardian or conservator of an adult
- Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive, or direct care capacity
- Any person providing full, intermittent or occasional care to an adult for compensation, including but not limited to companion, chore, homemaker and personal care workers
- Any law-enforcement officer

Help Is Available

If you or someone you know is being mistreated, contact your local department of social services and ask for an Adult Protective Services social worker, or you may call the 24-hour, toll-free hotline at

1-888-832-3858

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ADULT PROTECTIVE SERVICES